

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KRAFT FOODS GLOBAL, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No. 11-cv-8808
)	
v.)	Hon. Steven C. Seeger
)	
UNITED EGG PRODUCERS, INC., <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

**ORDER REGARDING OBJECTIONS
TO THE DEPOSITION DESIGNATIONS OF DON BELL**

Rulings on Deposition Designations – Don Bell Vol. I

Testimony	Objection	Ruling
42:2-17	701(a) & (c) (Improper lay opinion) starting at 42:16	Overruled (Candidly, it does not seem worth objecting to the proposition that older hens produce fewer eggs. The Court encourages the parties to keep things in perspective when they make objections.)
42:19-43:2	701(a) & (c) (Improper lay opinion)	Sustained. <i>See United States v. Conn</i> , 297 F.3d 548, 554 (7th Cir. 2002); <i>United States v. Wantuch</i> , 525 F.3d 505, 514 (7th Cir. 2008).
45:21-46:17	701(a) & (c) (Improper lay opinion) and 602 (foundation/speculation) starting at 46:10	Sustained
46:21-47:1	701(a) & (c) (Improper lay opinion); 602 (foundation)	Sustained
47:4-10	701(a) & (c) (Improper lay opinion); 602 (foundation)	Sustained
47:12-23	701(a) & (c) (Improper lay opinion); 602 (foundation) as to 47:12-13	Sustained
48:2-6	701(a) & (c) (Improper lay opinion); 602 (foundation)	Sustained
50:24-51:8	402 (relevance); 802 (hearsay); MIL (pre-conspiracy)	Overruled
70:21-71:20	Defendants object to Plaintiffs' redactions to Bell-3 (Plf. Tr. Ex. 272) for the reasons discussed in the pending motion to limit redactions [ECF 363]	

88:12-88:20	MIL (pre-conspiracy)	Overruled
97:16-101:20	802 (<i>hearsay</i>)*; 105 (as to RAF) (99:13-100:8, 100:24-101:7)	Overruled
101:23-102:17	602 (Foundation)	Overruled
105:1-106:24	802 (<i>hearsay</i>)*; Defendants object to Plaintiffs' redactions to Bell-8 (Plf. Tr. Ex. 1) for the reasons discussed in the pending motion to limit redactions [ECF 363]	Overruled
107:1-18	802 (<i>hearsay</i>)*	Overruled
135:12-13	802 (Hearsay) (as to all parties because Mr. Bell drafted in his capacity as a U. Cal. Poultry Specialist, prior to becoming a consultant for UEP)	Overruled
135:17-136:2	802 (<i>hearsay</i>)* (as to all parties because Mr. Bell drafted in his capacity as a U. Cal. Poultry Specialist, prior to becoming a consultant for UEP)	Overruled
136:21-138:23	802 (<i>hearsay</i>)* (as to all parties because Mr. Bell drafted in his capacity as a U. Cal. Poultry Specialist, prior to becoming a consultant for UEP)	Overruled
138:25-140:2	802 (<i>hearsay</i>)* (as to all parties because Mr. Bell drafted in his capacity as a U. Cal. Poultry Specialist, prior to becoming a consultant for UEP)	Overruled

140:4-140:13	802 (<i>hearsay</i>)* (as to all parties because Mr. Bell drafted in his capacity as a U. Cal. Poultry Specialist, prior to becoming a consultant for UEP)	Overruled
141:22-142:13	802 (<i>hearsay</i>)* (as to all parties because Mr. Bell drafted in his capacity as a U. Cal. Poultry Specialist, prior to becoming a consultant for UEP)	Overruled
142:18-25	802 (<i>hearsay</i>)* (as to all parties because Mr. Bell drafted in his capacity as a U. Cal. Poultry Specialist, prior to becoming a consultant for UEP)	Overruled
144:18	802 (<i>hearsay</i>)*	Overruled
146:17-148:1	802 (<i>hearsay</i>)*	Overruled
148:18-151:16	802 (<i>hearsay</i>)*	Overruled
151:20-25	802 (<i>hearsay</i>)*	Overruled
152:2-16	802 (<i>hearsay</i>)*	Overruled

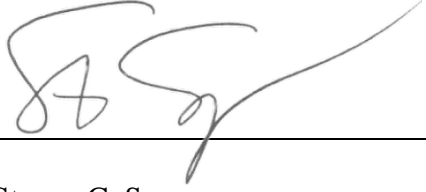
Rulings on Deposition Designations – Don Bell Vol. II

Testimony	Objection	Ruling
175:23-24	Defendants object to Plaintiffs' redactions to Bell-16 (Plf. Tr. Ex. 824) for the reasons discussed in the pending motion to limit redactions [ECF 363]	
176:4-179:1	802 (<i>hearsay</i>)*	Overruled
180:15-22	701(a)-(c) (Improper lay opinion); 611 (form)	Overruled
180:25-181:3	701(a)-(c) (Improper lay opinion); 611 (form)	Overruled
181:15-18	701(a)-(c) (Improper lay opinion); 611 (form)	Overruled
185:22-186:18	802 (<i>hearsay</i>)*	Overruled
186:21-187:17	802 (<i>hearsay</i>)*	Overruled
189:7-9	701(a)-(c) (Improper lay opinion); 802 (Hearsay)	Overruled
189:12-190:1	802 (<i>hearsay</i>)* (as to 189:12-18); 701(a)-(c) (Improper lay opinion); 802 (Hearsay)	Overruled
190:3-9	802 (<i>hearsay</i>)*; 701(a)-(c) (Improper lay opinion); 802 (Hearsay)	Overruled
192:13-18	701(a)-(c) (Improper lay opinion); 802 (Hearsay); 611 (form)	Overruled
192:20-193:9	802 (<i>hearsay</i>)* 701(a)-(c) (Improper lay opinion); 802 (Hearsay); 611 (form)	Overruled

195:9-196:16	802 (hearsay)*	Overruled
197:4-199:23	802 (hearsay)*	Overruled
203:10-13	802 (hearsay)*	Overruled
203:17-20	802 (hearsay)*	Overruled
204:6-20	802 (hearsay)*	Overruled
205:6-25	802 (hearsay)*	Overruled
206:6-22	802 (hearsay)*	Overruled
210:1-212:12	802 (hearsay)*	Overruled
216:2-5	802 (hearsay)*	Overruled
216:8-217:10	802 (hearsay)*	Overruled
221:4-8	701(a)-(c) (Improper lay opinion); 602 (Foundation)	Overruled
224:2-225:25	802 (hearsay); 602 (foundation) as to 224:2-12; 802 (hearsay)* as to 225:22-25	Overruled
226:3-227:8	802 (hearsay)*	Overruled
228:12-19	805 (hearsay within hearsay)*	Overruled
229:17-230:10	805 (hearsay within hearsay)*	Overruled
231:3-21	805 (hearsay within hearsay)*	Overruled

231:25-232:5	805 (<i>hearsay within hearsay</i>)*	Overruled
232:7-8	805 (<i>hearsay within hearsay</i>)*	Overruled
244:18-245:15	802 (<i>hearsay</i>)* Defendants object to Plaintiffs' heavily redacted version of Bell-24 (Plf. Tr. Ex. 32). The unredacted version is attached as Exhibit A at Dkt. 374.	Overruled
245:22-246:15	802 (<i>hearsay</i>)*	Overruled
252:10-18	802 (<i>hearsay</i>)*	Overruled
252:23-254:6	802 (<i>hearsay</i>)*	Overruled
255:4-7	802 (<i>hearsay</i>)*	Overruled
255:9-256:13	802 (<i>hearsay</i>)*	Overruled
256:16-24	602 (foundation)	Overruled
318:18-320:2	602, NR, NARR	Overruled
321:2-9	802 (Hearsay)	Overruled
324:3-6	403, MIL	Overruled
336:1-5	403	Overruled

Date: October 23, 2023



Steven C. Seeger
United States District Judge